

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE DEPARTMENT OF LABOR AND INDUSTRY

In the Matter of Bradley G. Nickels,  
d/b/a ABM Construction

**FIRST PREHEARING ORDER**

A prehearing conference was held via telephone in the above-captioned matter on December 22, 2005. Michael J. Tostengard, Assistant Attorney General, 445 Minnesota Street, Suite 1200, St. Paul, MN 55101-2130, appeared on behalf of the Department of Labor and Industry. Arlie M. Fundaun, Attorney at Law, Box 67, Remer, MN 56672, appeared on behalf of the Respondent, Bradley G. Nickels.

Based upon discussions with counsel during the prehearing conference, IT IS HEREBY ORDERED as follows:

1. Counsel shall exchange and file proposed exhibit and witness lists by February 20, 2006. The witness lists shall include a brief summary of the expected testimony of each witness.
2. To the extent possible, the parties shall enter into prehearing stipulations regarding the facts involved in the hearing and foundation for anticipated exhibits.
3. The hearing in this matter shall be held on Friday, March 3, 2006, commencing at 10:30 a.m. in a location to be determined in Grand Rapids, Minnesota. The hearing will be tape-recorded unless the parties notify the Administrative Law Judge by February 24, 2006, that they will require the services of a court reporter at the hearing.
4. The parties shall appear at the hearing with at least three copies of each exhibit they plan to offer into evidence. Exhibits shall be pre-marked using Arabic numbers without designation of the party offering the exhibit.

Dated: December 28, 2005.

s/Barbara L. Neilson

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BARBARA L. NEILSON  
Administrative Law Judge